

SERVICE DATE - LATE RELEASE APRIL 1, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-3 (Sub-No. 138X)

MISSOURI PACIFIC RAILROAD COMPANY--ABANDONMENT  
EXEMPTION--IN DOUGLAS COUNTY, NE

Decided: March 31, 1997

On October 2, 1996, a decision and notice of interim trail use or abandonment (NITU) was served authorizing a 180-day period for Douglas County Environmental Services (Douglas County) to negotiate an interim trail use/rail banking agreement with Missouri Pacific Railroad Company (MP)<sup>1</sup> for an approximately 0.61-mile portion of the Omaha Belt Line from milepost 485.55 to the end of the line at milepost 486.16, near Omaha, in Douglas County, NE.<sup>2</sup> The negotiation period is scheduled to expire on April 1, 1997.

On March 26, 1997, Douglas County filed a request for an extension of the negotiating period under the NITU for an additional 180 days. Douglas County states that it is in the final phase of negotiations and needs the additional time to finalize documents with UPRR. By letter filed March 27, 1997, UP states that it is agreeable to the extension request.

The requested extension of the negotiation period under the NITU will be granted. It will promote the establishment of trail use and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d) (Trails Act). The purpose of the Trails Act is to preserve rail corridors for possible reactivation of rail service by permitting and encouraging their interim use as recreational trails. See Policy Statement on Rails to Trails Conversions, Ex Parte No. 274 (Sub-No. 13B) (ICC served Feb. 5, 1990).

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The negotiating period under the NITU is extended to September 28, 1997.
2. The decision is effective on the service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

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<sup>1</sup> On January 1, 1997, MP merged into Union Pacific Railroad Company (UPRR); any reference to MP in this decision shall be understood to refer to UPRR

<sup>2</sup> Notice of the exemption was published in the Federal Register on September 3, 1996 (61 FR 46505).

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Vernon A. Williams  
Secretary